

CARLSMITH BALL LLP

J.PATRICK MASON

Bank of Hawaii Bldg., Suite 401  
134 West Soledad Avenue, P.O. Box BF  
Hagåtña, Guam 96932-5027  
Tel No. 671.472.6813

Attorneys for Defendant  
A.W. Chesterton Company

**FILED**

DISTRICT COURT OF GUAM

DEC - 9 2005 *mb*

MARY L.M. MORAN  
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

CESS NAVARRO OLMO and RONNIE  
PASCUAL FERRERAS,

Plaintiffs,

vs.

A.P. GREEN INDUSTRIES, INC., A.P.  
GREEN SERVICES, INC., A.W.  
CHESTERTON COMPANY, AMCHEM  
PRODUCTS, INC., ARMSTRONG WORLD  
INDUSTRIES, INC., ASBESTOS CLAIMS  
MANAGEMENT CORPORATION,  
BABCOCK & WILCOX COMPANY,  
COMBUSTION ENGINEERING, INC., DOW  
CHEMICAL COMPANY, DRESSER  
INDUSTRIES, INC., FELITALLIC, INC.,  
FLINTKOTE COMPANY, FOSTER  
WHEELER CORP., GAF CORPORATION,  
GARLOCK, INC., GEORGIA-PACIFIC  
CORPORATION, HARBISON-WALKER  
REFRACTORIES CO., HONEYWELL  
INTERNATIONAL, INC., JOHN CRANE,  
INC., KAISER GYPSUM COMPANY, INC.,  
METROPOLITAN LIFE INSURANCE  
COMPANY, OWENS CORNING, OWENS-  
ILLINOIS, INC., PITTSBURG CORNING  
CORPORATION, QUIGLEY COMPANY,  
INC., UNITED STATES GYPSUM  
COMPANY, and VIACOM, INC.,

Defendants.

CIVIL CASE NO. CV05-00025

**NOTICE OF HEARING ON DEFENDANT  
A.W. CHESTERTON'S MOTION TO  
DISMISS THE CROSS-CLAIMS OF  
GARLOCK, INC., VIACOM, INC. AND  
FOSTER WHEELER CORPORATION;  
DECLARATION OF SERVICE**

NOTICE IS HEREBY GIVEN that a hearing has been set before this Court on \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock a.m./p.m. in the District Court of Guam on Defendant A.W. Chesterton's Motion to Dismiss the Cross-Claims of Garlock, Inc., Viacom, Inc. and Foster Wheeler Corporation.

DATED: Hagåtña, Guam, December 9, 2005.

CARLSMITH BALL LLP

  
\_\_\_\_\_  
J. PATRICK MASON  
Attorneys for Defendant  
A.W. Chesterton Company

**DECLARATION OF SERVICE**

I, J.PATRICK MASON, hereby declare and state:

1. I am a United States citizen over the age of 18 years;

2. I am an Attorney of the law firm of Carlsmith Ball LLP.

3. On December 9, 2005, I will cause to be served a copy of the **NOTICE OF HEARING ON DEFENDANT A.W. CHESTERTON'S MOTION TO DISMISS THE CROSS-CLAIMS OF GARLOCK, INC., VIACOM, INC. AND FOSTER WHEELER CORPORATION** by hand delivery to the following:

John S. Unpingco, Esq.  
Benjamin B. Cassiday, III  
Lujan, Unpingco, Aguigui & Perez, LLP  
Suite 300, PDN Building  
238 Archbishop Flores Street  
Hagåtña, Guam 96910

Thomas C. Sterling, Esq.  
Klemm Blair Sterling & Johnson, P.C.  
Suite 1008, Pacific News Building  
238 Archbishop Flores Street  
Hagåtña, Guam 96910

David W. Dooley, Esq.  
Dooley Roberts & Fowler, LLP  
Suite 201, Orlean Pacific Plaza  
865 South Marine Drive  
Tamuning, Guam 96913

Anita P. Arriola, Esq.  
Arriola, Cowan & Arriola  
Suite 201, C&A Professional Building  
259 Martyr Street  
Hagåtña, Guam 96910

Louie J. Yanza, Esq.  
Maher Yanza Flynn Timblin, LLP  
115 Hesler Place, Ground Floor  
Governor Joseph Flores Building  
Hagåtña, Guam 96910

4. On December 9, 2005, I will also cause a copy of said documents to be served on the following by depositing same with the United States mail in sealed envelopes, postage prepaid, addressed as follows:

Laurie K. Anger, Esq.  
John J. Petry, Esq.  
Bruce A. Wagman, Esq.  
Morgenstein and Jubelirer LLP  
One Market Plaza

A.P. Green Industries, Inc.  
c/o CT Corporation System  
120 South Central Avenue  
Clayton, MO 63105

Spear Street Tower  
32nd Floor  
San Francisco, California 94105

Armstrong World Industries, Inc.  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Dow Chemical Company  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Honeywell International, Inc.  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

A.P. Green Services, Inc.  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Asbestos Claims Management Corporation  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Dresser Industries, Inc.  
c/o CT Corporation System  
818 West Seventh Street  
Los Angeles, CA 90017

GAF Corporation  
c/o Prentice-Hall Corporation Systems, Inc.  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808

United States Gypsum Company  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Babcock & Wilcox Company  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Flexitallic, Inc.  
c/o CT Corporation System  
818 West Seventh Street  
Los Angeles, California 90017

Kaiser Gypsum Company, Inc.  
c/o CT Corporation System  
818 West Seventh Street  
Los Angeles, California 90017

Amchem Products, Inc.  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Combustion Engineering, Inc.  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Flintkote Company  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Harbison-Walker Refractories Co.  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Owens Corning  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

Pittsburgh Corning Corporation  
800 Presque Isle Drive  
Pittsburgh, PA 15239

Quigley Company, Inc.  
c/o CT Corporation System  
111 Eighth Avenue  
New York, NY 10011

DATED: Hagåtña, Guam, December 9, 2005.

A handwritten signature in black ink, appearing to read "J. Patrick Mason", written over a horizontal line.

J.PATRICK MASON